



Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
16th City Council

45th Regular Session

ORDINANCE NO. SP- **1631** , S-2005
(PO2005-264)

AN ORDINANCE PROHIBITING THE SELLING OF ENDANGERED/EXOTIC ANIMALS IN MALLS OR ANY ESTABLISHMENT WITHIN THE TERRITORIAL JURISIDICION OF QUEZON CITY.

Introduced by Councilors EDCEL B. LAGMAN, JR., JORGE B. BANAL, JR., BERNADETTE HERRERA-DY, ELIZABETH A. DELARMENTE, ROMMEL R. ABESAMIS, JOSEPH P. JUICO, WINSTON "Winnie" T. CASTELO, AIKO MELENDEZ, VOLTAIRE GODOFREDO L. LIBAN III, ALLAN BUTCH T. FRANCISCO, FRANZ S. PUMAREN, WENCEROM BENEDICT C. LAGUMBAY, JULIAN M.L. COSETENG, DIORELLA MARIA SOTTO-DE LEON, ANTONIO E. INTON, JR., ALMA F. MONTILLA, RESTITUTO B. MALAÑGEN and BAYANI V. HIPOL.

WHEREAS, Section 2 of Republic Act 9147 states it that, "It shall be the policy of the state to conserve wildlife resources and their habitats for sustainability;

WHEREAS, the said provision mandates every local government unit to protect and conserve wildlife, especially those which are considered endangered and exotic, from all forms of abuse, cruelty and exploitation; to provide sanctions for the commission and carry out a program for protection and deterrence of such acts;

WHEREAS, Quezon City, through its mandated agency the Environmental Protection and Waste Management Department (EPWMD), in coordination with the Department of Environment and Natural Resources should conduct inspection of malls and other establishments suspected of selling endangered/exotic animals to its clientele;

WHEREAS, it shall be the declared policy of Quezon City to protect and conserve wildlife especially those categorized as endangered and exotic whose existence are threatened by activities of men;

WHEREAS, statistics have shown that the incidents of selling endangered/exotic species as pets has grown over the last decades not only in Quezon City but also in other parts of the country as well;

WHEREAS, there are reports from concerned environmentalists based in Quezon City that several business establishments within the territorial jurisdiction of Quezon City are suspected of selling potentially endangered/exotic wildlife;

WHEREAS, it is in the best interests of Quezon City that a declared national policy be effectively implemented at the local government level which would serve as a proactive measure that would give teeth to R.A. 9147 as our great city is known to fully advocate environmental concerns effectively and efficiently.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

SECTION 1. Title - This Ordinance shall be known as an "Ordinance Prohibiting the Selling of Endangered/Exotic Animals in malls and other establishments within the territorial jurisdiction of Quezon City."

SECTION 2. Definition of Terms

- a. Conservation - means preservation and sustainable utilization of wildlife, and/or maintenance, restoration and enhancement of the habitat;
- b. Captive-breeding/culture or propagation - means the process of producing individuals under controlled conditions or with human interventions;



- c. Endangered Species - refers to species or subspecies that is not critically endangered but whose survival in the wild is unlikely if the causal factors continue operating;
- d. Exotic Species - means species or subspecies which do not naturally occur in the country;
- e. Wildlife - means wild forms and varieties of flora and fauna, in all developmental stages, including those which are in captivity or are being breed or propagated;
- f. Wildlife collector's permit - means a permit to take or collect from the wild certain species and quantities of wildlife for commercial purposes;
- g. Wildlife form/culture permit - means a permit to develop, operate and maintain a wildlife breeding farm for conservation, trade and/or scientific purpose.

SECTION 3. Program on conserving and protecting endangered and exotic species - There shall be a comprehensive program to be formulated by the EPWMD in coordination with DENR and other line agencies of the government and the private sector concerned, within one (1) year from the effectivity of this Ordinance, to conserve and protect selling, exploitation and abuse of endangered and exotic animals.

SECTION 4. Selling of endangered/exotic animals shall be illegal except in the following cases:

- a. When the Secretary of the Department of Environment and Natural Resources (DENR) issues permit, certification or clearance to qualified individuals or entities.






- b. When the collection/selling of such species including its by-products and derivatives, shall be allowed only for specific breeding or propagation purposes in accordance with Sec. 6 of RA 9147; Provided, that only accredited individuals, business, research, educational or scientific entities shall be allowed to collect.

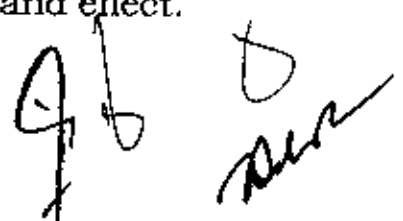
SECTION 5. Conservation Breeding or Propagation of Threatened Species - The Quezon City government should encourage the conservation and breeding or propagation of threatened species in order to enhance its population in its natural habitat. It shall be done simultaneously with the rehabilitation and/or protection of the habitat of the captive-bred specie.

SECTION 6. The Environmental Protection and Waste Management Department (EPWMD), in coordination with the Department of Environment and Natural Resources and the Quezon City Police District, shall be mandated to deputize its personnel to conduct inspection of malls and other establishments suspected of selling endangered/exotic animals as food to its clientele.

SECTION 7. Penalties - Any person or business entity engaged in the selling of food who shall violate the provisions of this Ordinance shall suffer the penalty of a fine not less than Five Thousand Pesos (P5,000.00) or imprisonment of not less than six (6) months or both at the discretion of the court. Provided, that, in case of repeated violations of the provisions of this Ordinance, the offender's license to operate shall be revoked.

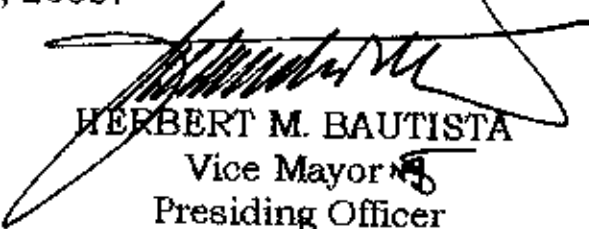
SECTION 8. Repealing Clause - Any ordinance or resolution or portion thereof which is inconsistent herewith, is hereby modified, amended and/or repealed accordingly.

SECTION 9. Separability Clause - If for any reason or reasons, any part of this Ordinance shall be held to be unconstitutional or invalid, other parts of provisions thereof not affected thereby shall continue to be in full force and effect.

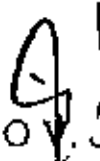


SECTION 10. Effectivity - This Ordinance shall take effect after fifteen (15) days after its publication in a newspaper of general circulation in Quezon City.


ENACTED: December 6, 2005.


HERBERT M. BAUTISTA
Vice Mayor
Presiding Officer

ATTESTED:


EUGENIO V. JURILLA
City Secretary

APPROVED: JAN 06 2006


FELICIANO R. BELMONTE, JR.
City Mayor

CERTIFICATION

This is to certify that this Ordinance which was APPROVED on Second Reading on December 6, 2005, was finally PASSED on Third/Final Reading by the City Council under Suspended Rules on the same date.


EUGENIO V. JURILLA
City Secretary
